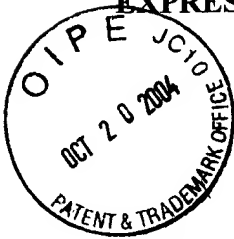


EXPRESS MAIL NO.: EV380370116US

DATE MAILED: October 20, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Karsten ROTHBARTH, *et al.*

Application Serial No.: 09/701,618

Filed: April 13, 2001

For: **METHOD OF TRIGGERING
APOPTOSIS IN CELLS**

Group Art Unit: 1646

Confirmation No.: 8034

Examiner: Angell, Jon E.

Attorney's Docket No:
03528.0139.PCUS00

RESPONSE TO OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action dated **April 20, 2004**, and is submitted on or before the extended due date of **October 20, 2004**. A constructive Petition under 37 C.F.R. § 1.136(a)(3) for a five (5) month extension of time with the requisite fee of \$1040.00 under 37 C.F.R. § 1.17(a)(5) enclosed herewith. If any further fees are required in order to maintain the pendency of the instant application, the Examiner is expressly authorized to charge such to Deposit Account No. 08-3038 referencing Attorney Docket No. 03528.0139.PCUS00. The Examiner is requested to enter the amendment and reconsider the application.